

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ALLEN BACON, Petitioner, v. WARDEN, FCI FORT DIX, Respondent.	Civil Action No. 25-574 (GC) <u>MEMORANDUM & ORDER</u>
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CASTNER, District Judge

Petitioner is a federal prisoner currently incarcerated at FCI Fort Dix, Joint Base MDL, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (“Section 2241”). (ECF No. 1 (“Petition”).) Petitioner also filed an emergency motion to expedite proceedings. (ECF No. 2 (“Motion to Expedite”).)

On April 28, 2025, the Court entered a memorandum and order directing the Clerk of the Court to administratively terminate this case, without filing the Petition, and stating that, if Petitioner wishes to reopen this case, he shall so notify this Court in writing within 30 days of the date of entry of the April 28, 2025 Memorandum and Order and submit a complete, signed habeas petition on the appropriate form *and* either a complete application to proceed *in forma pauperis* or the five-dollar filing fee. (ECF No. 2 at 1-3.) The Court additionally denied the Motion to Expedite without prejudice. (*Id.* at 2.)

A complete, signed habeas petition on the appropriate form was received on May 9, 2025. (ECF No. 4 (“Amended Petition”).) The five-dollar filing fee was received on May 12, 2025.

On May 15, 2025, the Court entered a text order reopening this case. (ECF No. 6.)

On June 4, 2025, the Court received a second complete, signed petition. (ECF No. 7 (“Second Amended Petition”).)

In accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to Section 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Second Amended Petition for dismissal and determined that dismissal without an answer and the record is not warranted.

IT IS, therefore, on this 11th day of June, 2025, **ORDERED** as follows:

ORDERED that the Clerk of the Court shall **REOPEN** this case; and it is further

ORDERED that the Clerk of Court shall serve a copy of the Petition (ECF No. 1), the Amended Petition (ECF No. 5), the exhibits attached to the Amended Petition (ECF No. 5-1), the Second Amended Petition (ECF No. 7), and this Memorandum and Order on Respondent by regular U.S. mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk of the Court shall forward a copy of the Petition (ECF No. 1), the Amended Petition (ECF No. 5), the exhibits attached to the Amended Petition (ECF No. 5-1), the Second Amended Petition (ECF No. 7), and this Memorandum and Order to the Chief, Civil Division, United States Attorney’s Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further

ORDERED that within forty-five (45) days of the date of the entry of this Memorandum and Order, Respondent shall file and serve a response which responds to the allegations and grounds in the Second Amended Petition and which includes all affirmative defenses Respondent seeks to invoke; and it is further

ORDERED that Respondent shall file and serve with the response certified copies of all documents necessary to resolve Petitioner's claims and affirmative defenses; and it is further

ORDERED that within forty-five (45) days of receipt of the response, Petitioner may file a reply to the response; and it is further

ORDERED that within seven (7) days of Petitioner's release, Respondent shall electronically file a written notice of the same with the Clerk of the Court; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Memorandum and Order on Petitioner by regular U.S. mail.

A handwritten signature in black ink, reading "Georgette Castner". The signature is written in a cursive, flowing style. The first name "Georgette" is written in a larger, more prominent script, and the last name "Castner" is written in a slightly smaller, more compact script. The signature is positioned above a horizontal line.

GEORGETTE CASTNER
United States District Judge